

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**TIVO INC.,**

**Plaintiff,**

**vs.**

**ECHOSTAR COMMUNICATIONS  
CORPORATION, et al.,**

**Defendants.**

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**CIVIL ACTION NO. 2:04-CV-01 (DF)**

**ORDER**

\_\_\_\_\_ Before the Court is Defendants' Emergency Motion for Expedited Resolution of Echostar's Motion for Pre-Approval of Proposed New Design Around. Dkt. Nos. 1025 and 1024, respectively. Also before the Court are Plaintiff's Response, Defendants' Reply, and Plaintiff's Sur-reply. Dkt. Nos. 1029, 1030, and 1031, respectively.

The Court previously stayed the injunction until midnight April 30, 2010. *See* Order of 3/25/2010, Dkt. No. 1034. The Court discussed that its resources were fully engaged and that it did not have the time and resources to adequately address the merits of Defendant's second designaround. *Id.*

On May 7, 2010, Defendants moved to extend the stay period until May 31, 2010. Dkt. No. 1040. The Court understands both the Plaintiff's opposition to this current extension as well as the parties' needs for resolution on this matter. The Court's resources, however, remain fully engaged, and it similarly cannot address the designaround.

Therefore, Defendants' Motion, Dkt. No. 1040, is hereby **GRANTED AS MODIFIED**,

and the Court hereby **STAYS** the injunction until midnight June 4, 2010.

**IT IS SO ORDERED.**

**SIGNED this 10th day of May, 2010.**

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE